

ZONING ORDINANCE FORMS:

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## 2019 Fee Schedule for Zoning

New House Construction \$500.00

Commercial Construction \$500.00

(The first 5 inspections by City of Norfolk are paid by City on new house / commercial construction)

Accessory Building Construction \$100.00

All other construction \$25.00

Demolition Permit \$10.00

Moving a building onto property permit \$25.00

Conditional Use Permit \$50.00 plus building permit fee

Change in Zoning Application \$150.00

Appeal to Board of Adjustment \$50.00

Application for Preliminary Plat \$150.00 plus \$5.00 for each lot

Application for Final Plat \$75.00 plus \$1.00 for each lot

Vacation of Plat \$50.00

Lot Split / Change of Boundary \$75.00

Administrative Plat \$30.00

Request to Vacate Alley / Right of Way \$50.00

Penalty for working without a Permit 3 times the permit fee

# BUILDING/ZONING PERMIT APPLICATION

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

## Applicant Information/Property Owner

Name \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

## Construction Information

1. Location of Property \_\_\_\_\_  
(include street address, legal / subdivision and lot number)
2. Structure to be \_\_\_\_\_ new \_\_\_\_\_ moved \_\_\_\_\_ addition \_\_\_\_\_ demolished
3. Proposed structure or building \_\_\_\_\_
4. Dimensions of structure, LxWxH \_\_\_\_\_ x \_\_\_\_\_ x \_\_\_\_\_ Roof Height (Floor to Peak) \_\_\_\_\_
5. Value of Structure \_\_\_\_\_ Proposed Use \_\_\_\_\_
6. Approximate date construction will start \_\_\_\_\_ end \_\_\_\_\_

## Lot Information / Location of structure

1. Lot Depth \_\_\_\_\_ Lot Width \_\_\_\_\_ Floodplain Yes or No
2. Zoning District: \_\_\_ R1 \_\_\_ R2 \_\_\_ R3 \_\_\_ TA \_\_\_ RS \_\_\_ B1 \_\_\_ B2  
\_\_\_ Light Industrial \_\_\_ Heavy Industrial
3. Distance structure will be from edge of curb \_\_\_\_\_
4. Distance structure will be from rear property line \_\_\_\_\_
5. Distance structure will be from side property line \_\_\_\_\_
6. Number of off-street parking spaces provided \_\_\_\_\_

## Building Information

1. Pole Building: Yes or No Materials: New or Used Type of Floor: Concrete Wood Dirt
2. Type of Siding: Vinyl Metal Wood Other \_\_\_\_\_ Color of Siding \_\_\_\_\_
3. Style of Roof: Gable Flat Type of Roof: Asphalt Metal Other \_\_\_\_\_
4. Electricity: Yes or No Plumbing/Bathroom: Yes or No Heating: Yes or No

Site plan attached: \_\_\_\_\_ The application for a zoning permit shall be accompanied by scale drawing of the shape and dimensions of the lot, location of streets and / or alley, location and dimensions of all existing and proposed buildings, and distances from buildings to lot lines or a plat, drawn to scale of the property and such other information as may be necessary for enforcement of these regulations. Other required information may include a legal survey when distances, setbacks, etc. are in question. An additional floodplain permit is required if located in the Flood Plain.

***Landowner is solely responsible for locating all lot lines. Footings to be placed a minimum of 42 inches below the final ground level. Must follow all local, state and federal regulations. Contractor is responsible for setting up inspections.***

## Contractor Information

Name \_\_\_\_\_ Phone \_\_\_\_\_

Signature by Property Owner denotes that all applicable building codes are to be followed and are the sole responsibility of contractor or property owner for the construction of the structure that such zoning permit is granted. Signature by Property Owner also denote permission granted to the Zoning Administrator or authorized personnel to inspect the construction site in which zoning permit is granted. In consideration of the issuance of this permit, the applicant hereby certifies that the information in this application is true and correct, and hereby agrees to comply with the zoning, subdivision, and floodplain regulations that are in effect. If in violation of regulations or through misrepresentation of facts, the zoning permit then becomes null and void and applicant may be subject to penalties established. **Permit void if work has not begun within 6 months of approval and completed in 2 years.**

Date \_\_\_\_\_ Applicants Signature \_\_\_\_\_

## OFFICE USE

Fee: Residence, Commercial or Industrial Buildings \$500.00 Accessory Building \$100.00  
All other construction \$25.00

Permit # \_\_\_\_\_ This permit is: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Approved Conditionally \_\_\_\_\_

Date \_\_\_\_\_ By: \_\_\_\_\_

**Building/Zoning Permit**  
**All construction must follow these guidelines**

1. A zoning/building permit is required to erect, construct, reconstruct, alter, maintain or use any building or structure, or to use any land as herein specified.
2. Measurement for walls shall be taken at the time of construction. Walls will be measured from ground/floor inside structure to top of wall where it meets the rafter. Measurement must match what is allowed in your zoning district.
3. Measurement for peak height shall be taken at the time of construction. Peak height will be measured in a straight line from peak of gable to floor/ground below. Measurement must match what is allowed in your zoning district.
4. Distance from edge of lot shall be measured to match set back distance allowed in your zoning district from all sides.
5. Fines / Penalties for not following accessory building regulations may result in a fine/ penalty of up to \$5,000.00, in addition to all other remedies.
6. As a condition of receiving the permit, the property owner needs to ensure all inspections are performed in a timely manner.
7. Call Diggers Hotline prior to any construction at 800-331-5666 or 811
8. No structure may be located in a right of way or easement. It is the homeowners responsibility to identify existing easements, location of lot lines, and if applicable, covenant restrictions.

## Procedure for Building / Zoning Permit Issuance

City of Stanton, PO Box 747, Stanton, NE 68779 Email: [cityofstanton@stanton.net](mailto:cityofstanton@stanton.net) Phone: 402-439-2119

1. A building / zoning permit shall be obtained from the City Clerk prior to construction of any structure to insure the protection of owner, municipality, and adjacent property owners.
2. The following steps should be taken to insure proper compliance with the zoning regulations.
  - a. The applicant shall obtain a building / zoning permit from the City Clerk by contributing the necessary information on the building permit form and meeting all requirements.
  - b. The City Clerk / Zoning Administrator shall explain to the applicant what the requirements are in the zoning regulations and answer any questions.
  - c. The permit may be approved providing: 1) land is properly zoned and if plans meet the legal requirements, 2) fee is paid, 3) evidence of available utilities
3. The building / zoning permit may be revoked at any time during construction and utility service denied when applicant is in violation of zoning requirements.
4. A certificate of building / zoning compliance shall be issued upon verification that all items are in conformance for new residential construction.

If at Step 2, the Zoning Administrator / Building Inspector determines that he or she must deny granting the building / zoning permit, the applicant should be advised of the following options:

1. Revise the plans to conform to zoning regulations and resubmit building / zoning permit application.
2. Apply to City Clerk for a variance to be approved by the Board of Adjustment
3. Apply to City Clerk for granting of a conditional use permit to be approved by the Planning Commission and the City Council.
4. Apply to the City Clerk for an interpretation of the zoning regulations by the Board of Adjustment.
5. Apply to the City Clerk for a change of zoning or amendment to the zoning regulations to be granted by the Planning Commission and the City Council.
6. Applicant may wish to discontinue project.

## New Construction Inspections –

(Please call City of Stanton 402-439-2119 or City of Norfolk (Steve Nordhues), 402-844-2060 to set up an inspection)

### **It is the property owner's responsibility to ensure the below inspections are timely completed.**

1. Footing – Inspection must be completed BEFORE any concrete or fill is placed around or on top of the footings.
2. Underfloor plumbing – Inspection must be completed BEFORE installing floor.
3. Radon venting – Inspection must be completed BEFORE covering the same.
4. Rough in – plumbing, framing, HVAC – Must be completed BEFORE covering the same.
5. Insulation – Inspection needs to be done BEFORE sheetrock or other wall coverings are installed.
6. Final – plumbing, HVAC, insulation, and life safety

Water and Sewer need to be inspected by City staff prior to covering up the lines. A sewer clean out will need to be placed every 100 feet between the main and the house. A tap fee for each utility will be required. The City will pay for one 5/8" or 1" water meter. If a larger size is required the homeowner will pay the difference in price. If a second sprinkler meter needs to be installed the homeowner will reimburse the city the cost of the meter. Meters must not run through each other and all plumbing for the property must run through a meter.

Electrical Inspections should be done by contacting the State Electrical Inspector. The inspector for Stanton is Todd Flick, District 7 and he can be reached at 402-649-7730.

Commercial projects need to be reviewed by the State Fire Marshal. Their approval needs to be attached to permit. Commercial should indicate the number, locations and sizes of all parking spaces, fences and signs.

The City has adopted the following codes for construction (a copy can be viewed at the city hall):

- 2012 International Mechanical Code
- 2012 International Plumbing Code
- 2012 International Building Code
- 2012 International Residential Code for One and Two Family Dwellings
- 2009 International Energy Conservation Code
- 2012 International Property Maintenance Code

**The fine for not completing inspections is up to \$100 per day for violation of the building permit.**

BINS

**GRAIN BIN INFORMATION**

**Size of Bin** Diameter \_\_\_\_ Height \_\_\_\_ Bushels \_\_\_\_

**Bin Type** All of the following \_\_\_\_ Storage \_\_\_\_ Drying \_\_\_\_  
Aeration \_\_\_\_ High Moisture \_\_\_\_

**Floor** Concrete \_\_\_\_ Perforated \_\_\_\_ Both \_\_\_\_

**Fans** Yes or No HP \_\_\_\_

**Dryer Unit** \_\_\_\_ HP \_\_\_\_

**Unloading Auger** Yes or No

**Stirator** Yes or No

New \_\_\_\_ Used \_\_\_\_ If used, approximate age \_\_\_\_

Located next to (nearest building) \_\_\_\_\_

Value of Structure \_\_\_\_\_

Electrical Inspections should be done by contacting the State Electrical Inspector. The inspector for Stanton is Todd Flick, District 7 and he can be reached at 402-649-7730.

Commercial projects need to be reviewed by the State Fire Marshal, with a copy of their approval given to City.

The fine for not completing inspections is up to \$100 per day for violation of the building permit.

**Office Use Only**

Permit No. \_\_\_\_\_ Fee paid \_\_\_\_\_

1. Lot / Parcel on which building / addition is proposed meets minimum lot width, frontage and area requirements.  
\_\_\_\_\_ Yes \_\_\_\_\_ No

2. Zoning District \_\_\_\_\_  
Does the structure and use comply with Zoning District \_\_\_\_\_ Yes \_\_\_\_\_ No

3. Building / Addition complies with setbacks from roads / streets, other buildings and property lines  
\_\_\_\_\_ Yes \_\_\_\_\_ No

4. Building / Addition complies with applicable height limits \_\_\_\_\_ Yes \_\_\_\_\_ No

5. Meets minimum parking, loading areas and signs regulations \_\_\_\_\_ Yes \_\_\_\_\_ No

6. Is building / use located in a wellhead protection area? \_\_\_\_\_ Yes \_\_\_\_\_ No If yes, building / use complies with requirements of applicable wellhead protection regulations \_\_\_\_\_ Yes \_\_\_\_\_ No

7. Is building / addition located in a flood hazard area? \_\_\_\_\_ Yes \_\_\_\_\_ No If yes, building / use complies with requirements of flood hazard regulations \_\_\_\_\_ Yes \_\_\_\_\_ No

Flood Plain District \_\_\_\_\_ Panel No. \_\_\_\_\_

If yes, has applicant been issued a Flood Plain Development Permit: \_\_\_\_\_ Yes \_\_\_\_\_ No

8. Building / Addition / Use requires conditional use / variance approval \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, conditional use / variance approval has been given and complies with all conditions set forth in the Conditional use / variance approval \_\_\_\_\_ Yes \_\_\_\_\_ No  
Conditions of Use / variance \_\_\_\_\_  
\_\_\_\_\_

9. If building permit has been issued, building and proposed use comply with all statements and facts indicated on such approved zoning permit. \_\_\_\_\_ Yes \_\_\_\_\_ No

10. If proposed occupancy is a change of use where no new building or additions are proposed and no building permit is needed, said building and use will comply with all setback distances, water/sewer disposal requirements, parking/sign regulations and other applicable zoning regulations. \_\_\_\_\_ Yes \_\_\_\_\_ No

11. Sketch of Site plan / plat is attached to permit \_\_\_\_\_ Yes \_\_\_\_\_ No

Reason and Notes on Decision:

Application is: \_\_\_\_\_ Approved \_\_\_\_\_ Approved with conditions \_\_\_\_\_

Application is: \_\_\_\_\_ Disapproved Reason for disapproval \_\_\_\_\_

Zoning Administrator \_\_\_\_\_ Date \_\_\_\_\_



CERTIFICATE OF BUILDING / ZONING COMPLIANCE

City of Stanton, PO Box 747, Stanton, NE 68779 Email: [cityofstanton@stanton.net](mailto:cityofstanton@stanton.net) Phone: 402-439-2119

Permit No. \_\_\_\_\_

Application is hereby made for a Certificate of Building / Zoning Compliance to occupy and use the premises at \_\_\_\_\_.

Building permit number \_\_\_\_\_ issued on \_\_\_\_\_.

Date \_\_\_\_\_ Applicant Signature \_\_\_\_\_

Having inspected the premises described above to determine that construction, alteration, etc., has been undertaken in compliance with the above building application and in conformity with the Zoning Ordinance and other applicable ordinances, the application for a Certificate of Building / Zoning Compliance is:

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_ Reason for Disapproval \_\_\_\_\_  
\_\_\_\_\_

Date \_\_\_\_\_ Signed by Inspector \_\_\_\_\_

### APPLICATION FOR CHANGE OF ZONING

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

All forms must be filled out completely and non-refundable fee of \$150.00 paid prior to hearing date

Applicant's Name \_\_\_\_\_ Phone \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Legal Description of Property to be rezoned \_\_\_\_\_

Land to be rezoned: Dimensions \_\_\_\_\_ Total Area (Square Feet / Acres) \_\_\_\_\_

Present Zoning District \_\_\_\_\_ Requested Zoning District \_\_\_\_\_

(Zoning Districts: TA Transitional Agriculture, RS Residential Suburban, R1 Single Family Residential, R2 Two Family Residential, R3 Multiple Family Residential, RM Mobile Home Residential, B1 Highway Business, B2 Central Business, I1 Light Industrial, I2 Heavy Industrial)

Current Use of Subject Property \_\_\_\_\_

Proposed Use of Subject Property/Reason for change \_\_\_\_\_

How are adjoining properties used (Actual use):

North \_\_\_\_\_ South \_\_\_\_\_

East \_\_\_\_\_ West \_\_\_\_\_

#### JUSTIFICATION

You must justify your request. Questions 1 through 4 must be answered completely. Use additional sheets if needed. Furnish plot or site plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.).

1. What is the general character of the area? Describe.
2. How will the proposed zoning district affect traffic in the area? Will streets need to be updated or added for access?
3. What type of water and sewer system will be used?
4. If change is granted, how will it affect all adjoining properties?

I hereby certify that all required information and materials are herewith attached and said materials are true and accurate to the best of my knowledge. The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of reviewing the project.

Signature of landowner \_\_\_\_\_ Date \_\_\_\_\_

For Office Use Only:

Date Property Posted \_\_\_\_\_ Date Notice mailed to landowners \_\_\_\_\_ Cost mailing \_\_\_\_\_

Date Notice of Hearing PC \_\_\_\_\_ Cost \_\_\_\_\_ Date Notice of Hearing CC \_\_\_\_\_ Cost \_\_\_\_\_

Date PC Meeting \_\_\_\_\_ Date CC Meeting \_\_\_\_\_ Filing fee \_\_\_\_\_

PC Action \_\_\_\_\_ CC Action \_\_\_\_\_ Total Fees \_\_\_\_\_

# NOTICE TO PROPERTY OWNERS

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

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## Public Hearing

### Area Residents within three hundred (300) feet

(This list may be obtained by contacting the County Assessor's Office for the addresses.)

A notice of hearing shall be sent to all landowners within 300 feet of land being considered in said hearing.

#### Parties in interest:

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____
20.	_____	_____

I hereby certify that a copy of the attached notice of hearing was mailed, postage prepaid to each of the above listed.

Zoning Administrator \_\_\_\_\_

Date \_\_\_\_\_

## Procedure for Request for Zoning Change

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: [cityofstanton.net](mailto:cityofstanton.net) Phone 402-439-2119

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- The applicant shall obtain a request for zone change permit form from the City Clerk. All information must be filled out on the form and the fee paid. The City Clerk shall explain the zoning change process to the applicant.
- The City Clerk shall open a file for applicant's request for a zoning change upon return of the completed forms and a fee of \$150.00 (non-refundable) to process the application.
- A public hearing will be scheduled for the Planning Commission. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the Planning Commission meeting.
- The owners or occupants of the real estate to be rezoned and all real estate located within three hundred (300) feet of the real estate to be rezoned shall be notified in writing of the request for a rezone. The letter of notification shall be mailed to recipients (at their last known address) no later than ten (10) days prior to the Planning Commission's public hearing. A letter will also be sent to the school board. Adjacent land owners/occupants shall have ten (10) days from the date of notification to notify the City Clerk of any protests which they may have concerning the application. This list of names and addresses may be obtained by contacting the County Assessor's Office. **This list that shall include all names and addresses must accompany the application or no action will be taken on your request.**
- A "Zoning Action Pending" sign will be posted on or near the property under consideration of a zoning change at least ten (10) days prior to the public hearing of the Planning Commission. Such notice shall not be less than eighteen (18) inches in height and twenty-four (24) inches in width with a white background and black letters not less than one and one-half (1 ½) inches in height. It shall be unlawful for anyone to remove, mutilate, destroy or change such notice prior to such hearing. Any person doing so shall be deemed guilty of a misdemeanor.
- A copy of the agenda for the Planning Commission meeting shall be sent to the applicant at which the request will be considered. It is recommended that the applicant attend the Planning Commission meeting to answer any questions. The Planning Commission action is in the form of a recommendation to the City Council. The City Council will make the official decision.
- A copy of the Planning Commission minutes recommending approval or disapproval, and the zoning change application shall be forwarded to the City Council for a hearing.
- A public hearing will be scheduled for the City Council upon receiving the recommendation of the Planning Commission. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the City Council meeting. A copy of the hearing notice shall be sent to the applicant and the property shall be posted at least ten (10) days prior to the public hearing of the City Council.
- The City Council shall hold its public hearing. The minutes shall include what action was taken. A change in zoning shall be completed by Ordinance and the official zoning map shall be modified to reflect said rezoning change and signed by the Mayor and the City Clerk. The Ordinance will need to be filed at the County Clerk's Office.
- If the City Council determines that they must deny granting the Request for Zoning Change, the City Council should advise the applicant of the following options:
  - a. Revise the plans to conform to the zoning regulations and resubmit zoning application permit.
  - b. The same request or one substantially similar shall not be resubmitted to the City Council within six (6) months of such denial.
  - c. Applicant may wish to discontinue project

- ❑ In case of a protest against such change, signed by the owners of twenty (20) percent or more, either of the area of the lots included in such proposed changes, or of those immediately adjacent on the sides and in the rear thereof extending three hundred (300) feet therefrom, and of those directly opposite thereto extending three hundred (300) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the City Council.

# APPLICATION FOR CONDITIONAL USE PERMIT

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

All forms must be filled out completely and non-refundable fee of \$50.00 paid

## General Information

### APPLICANT / PROPERTY OWNER

Name: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Pursuant to the Stanton Zoning Ordinance, application is hereby made for the following proposed use of property or structure:

1. Legal Description/ Address of real estate to be affected by this application
2. Current zoning designation is \_\_\_\_\_ and the conditional use requested is allowable in this zoning district.
3. Will it be necessary to build a new structure? \_\_\_\_\_ Cost \_\_\_\_\_
4. Will required yards and other open spaces be observed with the permit? \_\_\_\_\_
5. Present use \_\_\_\_\_ Desired use \_\_\_\_\_
6. Timeframe of request: Perpetual \_\_\_\_\_ Issued for \_\_\_\_\_ years
7. What is the general character of the area and how will this conditional use affect it?  
\_\_\_\_\_
8. Will use in all other respects conform to the applicable regulations of the district in which it is located?  
\_\_\_\_\_
9. Will use have adequate water, sewer and drainage facilities? \_\_\_\_\_
10. Will ingress and egress be designed to minimize traffic congestion on the public streets?  
\_\_\_\_\_
11. Attach a Site Plan to include easements, lot size, utilities, location of access roadways, structures (location and height), drainage onto and through property, signs, fencing, parking spaces, setbacks, and other pertinent information.

The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours. I hereby certify that I have the legal authority to file this application and the same is true and correct.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Permit is \_\_\_\_\_ Approved \_\_\_\_\_ Approved with Added Conditions \_\_\_\_\_  
\_\_\_\_\_ Disapproved, Reason \_\_\_\_\_

Permit is \_\_\_\_\_ Transferable \_\_\_\_\_ Transferable upon review / renewal

Planning Commission Chairman \_\_\_\_\_ Date \_\_\_\_\_

Mayor City of Stanton \_\_\_\_\_ Date \_\_\_\_\_

### *For Office Use Only:*

Date Property Posted \_\_\_\_\_ Date Notice mailed to landowners \_\_\_\_\_ Cost mailing \_\_\_\_\_

Date PC Public Hearing Notice \_\_\_\_\_ Date PC Public Hearing \_\_\_\_\_ Cost \_\_\_\_\_

Date CC Public Hearing Notice \_\_\_\_\_ Date CC Public Hearing \_\_\_\_\_ Cost \_\_\_\_\_

Total fees \_\_\_\_\_ CC Action \_\_\_\_\_ Date Applicant notified \_\_\_\_\_

## Conditional Use Permit Standards

No conditional use permit shall be granted unless the Planning Commission and City Council finds the following.

- That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the community.
- That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, not substantially diminish and impair property values within the neighborhood.
- That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
- That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- The use shall not include noise that is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
- The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
- The use shall not involve any malodorous gas or matter that is discernible on any adjoining lot or property.
- The use shall not involve any direct or reflected glare that is visible from any adjoining property or from any public street, road or highway.
- The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
- The use shall not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.
- No home based business shall be operated out of accessory structure.
- Prior to the granting of any conditional use, the city council may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, operation and a specified time limit for the performance of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with reasonable standards and requirements. In all cases in which conditional uses are recommended, the city council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with including, but not limited to plans, covenants, agreements, bonds, escrows and assessments.
- No application for a conditional use permit, which has been denied wholly or in part by the city council shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning Commission.

## Checklist Conditional Use Permit

- \_\_\_ 1. An application for a conditional use permit may be requested from the City Clerk. The application shall be returned with a drawing / site plan showing the dimensions, arrangements, descriptions, data and other materials necessary for understanding the proposed use and modifications of the regulations. A plan as to operation and maintenance of proposed use shall also be submitted. All information must be filled out on the form and a non-refundable fee of \$50.00 for the application shall be submitted.
- \_\_\_ 2. The City Clerk shall open a file for applicant's request for a conditional use permit upon return of the completed forms and a fee of \$50.00 (non-refundable) to process the application.
- \_\_\_ 3. A public hearing will be scheduled for the Planning Commission. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the Planning Commission meeting.
- \_\_\_ 4. A copy of the agenda for the Planning Commission meeting shall be sent to the applicant at which the request will be considered. It is recommended that the applicant attend the Planning Commission meeting to answer any questions. The Planning Commission action is in the form of a recommendation to the City Council.
- \_\_\_ 5. A copy of the Planning Commission minutes recommending approval or disapproval, and the conditional use permit application shall be forwarded to the City Council for a hearing.
- \_\_\_ 6. A public hearing will be scheduled for the City Council upon receiving the recommendation of the Planning Commission. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the City Council meeting. A copy of the hearing notice shall be sent to the applicant.
- \_\_\_ 7. The City Council shall hold its public hearing. The minutes shall include what action was taken. A Resolution will be needed for approval. A majority vote of the city council shall be necessary to grant a conditional use permit. Construction or substantial improvement shall be commenced within twelve (12) months after issuance of permit. If construction or improvement does not occur within this time, the permit becomes null and void.
- \_\_\_ 8. Prior to the granting of any conditional use, the city council may stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, operation and a specified time limit for the performance of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with reasonable standards and requirements. In all cases in which conditional uses are recommended, the city council shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with including, but not limited to plans, covenants, agreements, bonds, escrows and assessments.
- \_\_\_ 9. The permit must state the conditions and terms and may be recommended for three (3) years. An on-site review of the property will be done one (1) year from issuance of permit. The conditional permit can be renewed as long as the conditions and terms of the permit are satisfied, however, the authorization and permit may be reviewed and revoked after a written complaint has been submitted to the city, and an investigation completed.
- \_\_\_ 10. No application for a conditional use permit, which has been denied wholly or in part by the city council shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning Commission.
- \_\_\_ 11. In the event said use is revoked, written notice shall be given the applicant stating reasons for revocation. Applicant shall have sixty (60) days from date of written intent to revoke authorization to file an appeal of said notice.



# Demolition Application

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

---

All forms must be filled out completely and non-refundable fee of \$10.00 paid

## General Information

APPLICANT / PROPERTY OWNER

Name \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

Email Address \_\_\_\_\_

## Project Information

Project Location/Legal Description \_\_\_\_\_

Property Address \_\_\_\_\_

Description of building / structure to be demolished \_\_\_\_\_

Demolition start date \_\_\_\_\_ Demolition finish date \_\_\_\_\_

Method of demolition \_\_\_\_\_

Debris disposal location \_\_\_\_\_

Demolition contractors name \_\_\_\_\_

Electrical disconnected \_\_\_\_\_ Gas disconnected \_\_\_\_\_

Water disconnected \_\_\_\_\_ Sewer disconnected \_\_\_\_\_

I hereby state that the information submitted on this application is accurate and correct. I have verified that there are no environmental hazards to be encountered upon demolition of said premises. I recognize that the issuance of this permit shall not grant approval to violate any of the provisions of the building codes or zoning ordinances enforced by this jurisdiction, state or federal law.

I (We) (am) (are) the sole owner(s) of the property.

\_\_\_\_\_  
*Signature* *Print Name*

\_\_\_\_\_  
*Signature*

*For Office Use Only:*

Permit # \_\_\_\_\_ This permit is \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

Conditions to be met \_\_\_\_\_

Date \_\_\_\_\_ By \_\_\_\_\_

**APPLICATION FOR PRELIMINARY PLAT  
STANTON, NEBRASKA  
LEGAL DESCRIPTION AND GENERAL LOCATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SUBDIVIDER**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**OWNER**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**CITY USE ONLY**

**RECEIPT NO:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**PRELIMINARY PLAT #:** \_\_\_\_\_

**FEE PAID \$** \_\_\_\_\_

**AGENT** (Authorized to act on Subdivider's behalf):

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**ANY OTHER ASSOCIATES:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

NAME OF PRELIMINARY PLAT: \_\_\_\_\_ NUMBER OF LOTS: \_\_\_\_\_

1. Does the subdivider have any interest in the land surrounding the preliminary plat? Yes\_\_ No\_\_. If yes, please describe the nature of such interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Will the preliminary plat require any zoning or other action (rezoning, Clustered/Mixed Use, conditional use, or vacations) to complete the development? Yes\_\_ No\_\_. If yes, please describe the nature of the action: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Does the preliminary plat deviate from the requirements of the Subdivision Regulations of the City of Stanton or the City's Design Standards? Yes\_\_ No\_\_. If yes, please state each deviation, how the proposal meets the intent of the subdivision ordinance and why the proposal should be accepted (additional sheets may be added): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Is any part of the land within the preliminary plat within a flood plain? Yes\_\_ No\_\_. If yes, please include the following information: Hydrological and grade information to determine frequency and extent of inundation of flood waters; location of proposed use and type of use; areas of habitation and employment to include location, size and floor elevation of any structures, location and elevation of parking areas, use, location and elevation of open space; all plans and other information conform to Development Standards; limits of the flood plain; amount of Fill Material brought into the flood plain; a certificate that grading will not result in any increase in the flood plain. (Additional sheets may be added).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## PRELIMINARY PLAT APPLICANT'S TECHNICAL CHECKLIST

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

---

NAME OF PRELIMINARY PLAT: \_\_\_\_\_

LOCATION OF SUCH PLAT: \_\_\_\_\_

### REQUIREMENTS OF PRELIMINARY PLAT

- Name of subdivision, legal description and owners of property.
- Name of subdivider, engineer, land planner, landscape architect, or surveyor.
- Names of adjacent property owners or subdivisions.
- North arrow, date, graphics scale.
- Vicinity map. A map shall be presented accompanying or included on the Preliminary Plat showing the geographic relationship of the proposed subdivision to the surrounding area. Features to be noted on the vicinity map include major streets, railroads and public areas. Vicinity maps shall be prepared at a scale of no smaller than one (1) inch equals two thousand (2,000) feet.
- Show all existing structures in the area.
- Location of drainage channel(s), flood plains and floodways (as indicated by flood insurance maps) with base flood elevation, rock out crop and other significant natural features.
- The location of existing trees with trunks twelve (12) inches in diameter or greater, measured two (2) feet above the ground. Wooded areas or clumps of trees may be identified as a group of trees without precisely locating each tree.
- All lands and, or subdivisions, shall be shown for a distance of two hundred (200) feet from all sides of land in question showing location, names and width of streets and highways, etc. If proposed plat is a portion of a larger holding intended for subsequent development, preliminary engineering plans for all improvements for the entire holding shall be part of the requirement.
- Existing and proposed topographic contours with intervals of five (5) feet. If the subdivision exceeds ten (10) acres, in area or contains unusual topographic features, smaller contour interval may be required by the Planning Commission.
- Location, names, widths, and other dimensions of all existing and proposed streets, alleys, easements, section lines, railroad rights-of-way, dedications and reservation of land required and other such important features within and immediately adjacent to the tract.
- The location and size of existing and proposed utility lines and facilities including sewer, water mains, culverts or other underground structures, such as natural gas, electrical or telephone lines, within the tract and immediately adjacent thereto. If water mains and sewers are not on or adjacent to the tract, direction and distance to the nearest ones shall be shown including invert elevations of sewers.
- Location and dimensions of public ground and proposed public improvements, such as highways, parks or other major improvements planned by public authorities for future construction on or near the tract in accordance with the Comprehensive Plan and these regulations.
- The location and dimensions in feet and hundredths of the property lines, lot lines and building envelope with required setback lines.
- Total acreage of proposed subdivision, layout and number of lots, layout of blocks and acreages designated to other uses.
- A description of proposed curbs, gutters, sidewalks, street surfacing, and street sub-structure.
- A clear indication of the proposed course of surface water drainage entering and leaving the proposed subdivision to the point(s) where such water enters a water course, as defined in these regulations.
- When required by the Planning Commission, there shall be furnished profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway and sidewalk.

**PRELIMINARY PLAT APPLICANT'S TECHNICAL CHECKLIST (cont.)**

**City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119**

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**ADDITIONAL REQUIREMENTS** (to be shown on Preliminary Plat or on accompanying sheets)

- Four (4) copies of Preliminary Plat and required supplementary material filed with City Clerk
- Sheet sizes for plats shall be adequate to provide for a scale of one (1) inch equals one hundred (100) feet making it possible to clearly read all necessary information shown thereon.

**IF PLAT IS LOCATED WITHIN THE FLOOD PLAIN**

- Hydrological and grade information to determine frequency and extent of inundation of flood waters
- Location of proposed use and type of use
- Areas of habitation and employment to include:
  - Location size and floor elevation of any structures
  - Location and elevation of parking areas
  - Use, location and elevation of open space
- Limits of the flood plain
- Amount of Fill Material brought into the flood plain
- A certificate that grading will not result in any increase in the flood plain

**ANY OTHER INFORMATION OR COMMENTS RELATED TO THE PRELIMINARY PLAT:**

(Please use additional sheet if necessary)

**Applicant's Signature(s):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**APPLICATION FOR FINAL PLAT  
STANTON, NEBRASKA  
LEGAL DESCRIPTION AND GENERAL LOCATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SUBDIVIDER**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**OWNER**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**CITY USE ONLY**

**RECEIPT NO:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**FINAL PLAT #:** \_\_\_\_\_

**FEE PAID \$** \_\_\_\_\_

**AGENT** (Authorized to act on Subdivider's behalf):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

**ANY OTHER ASSOCIATES:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

NAME OF FINAL PLAT: \_\_\_\_\_ NUMBER OF LOTS: \_\_\_\_\_

a. Does the subdivider have any interest in the land surrounding the final plat? Yes\_\_ No\_\_.  
If yes, please describe the nature of such interest: \_\_\_\_\_

b. Will the final plat require any zoning or other action (rezoning, Clustered/Mixed Use, conditional use or vacations) to complete the development? Yes \_\_ No\_\_. If yes please describe the nature of the action: \_\_\_\_\_

c. The final plat is based upon the preliminary plat for \_\_\_\_\_, approved by the City Board of Trustees on \_\_\_\_\_, 20\_\_, Resolution No. \_\_\_\_\_

d. Is the final plat consistent with the approved preliminary plat? Yes\_\_ No\_\_. If not, please explain the proposed changes and the reasons therefore: \_\_\_\_\_

e. Have all the improvements required by the preliminary plat been completed? Yes\_\_ No\_\_ (Please check the Planning Commission's letter indicating the approval of the preliminary plat.) If not, which improvements have not been completed: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# FINAL PLAT APPLICANT'S TECHNICAL CHECKLIST

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

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NAME OF FINAL PLAT: \_\_\_\_\_

LOCATION OF SUCH PLAT: \_\_\_\_\_

## **REQUIREMENTS OF FINAL PLAT**

- Name of subdivision.
- Name(s) of the owner(s) of the subdivision.
- Name of land planner, landscape architect, surveyor or engineer who prepared the Final Plat.
- Date, north arrow, and scale.
- Location by specific legal description shall meet or exceed the "Minimum Standards for Surveys", as established by the P.S.A.N. in February 1989.
- Property lines and rights-of-way of all existing streets, alleys and other rights-of-way within the subdivision with dimensions given in feet and hundredths.
- Include lands adjoining subdivision for a distance of two hundred (200) feet on all sides, all names of such additions, and streets, together with property lines, lot and block numbers and other designations, (except dimensions, to be shown by broken lines). Dimensions of bounding streets, together with lot dimensions on side adjoining streets shall be shown.
- Accurate location, size, type and material of all monuments, and an indication whether such monuments were found or set.
- Location, dimensions in feet and hundredths of all easements together with the purpose of each.
- If an area is subject to flooding (flood plain), the minimum floor elevation for each lot subject to such flooding shall be indicated.
- Radii, central angles, tangents, lengths of arcs, curvature angles at street intersections and a complete street traverse of each street within and on the perimeter of the plat.
- Proposed streets, cul-de-sacs, (with names), alleys, easements and other dedications and lots of other parcels of land must be accurately dimensioned. All angles other than ninety (90) degree, as required to definitely establish lines or parcels of land must be shown.
- Identification systems for all lots, blocks and building setback lines.
- Locations of markings (in feet and decimals of a foot) of iron pipe, ¾" plus or minus, in diameter and not less than two (2) feet in length at all lot corners and change in alignments of such lines.
- Accurate outlines of any area to be dedicated or reserved for public use or acquisition with the purposes indicated thereon. Any area to be reserved by covenant or deed restriction for the common use by the owners in the subdivision shall also be noted and copies supplied, if applicable.

## **CERTIFICATES AND ACKNOWLEDGMENTS**

- A notarized certification signed and acknowledged by all parties having any titled interest in, or lien upon the land to be subdivided consenting to the final plat including the dedication of parts of the land for streets, easements, and other purposes (Schedule C).
- A certification signed by the County Treasurer stating that there are no regular or special taxes due or delinquent against the platted land.
- A form for the approval of the Planning Commission.
- A form for the approval of the City Council to be signed by the Mayor and attested to by the City Clerk.
- Certification Statement by Registered Land Surveyor (See Schedule D).
- A form for the approval of the City Engineer.
- A form for Certificate of County Register of Deeds.

## **FINAL PLAT APPLICANT'S TECHNICAL CHECKLIST**

**City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119**

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### **DATA REQUIRED ON THE FINAL PLAT**

Construction Plans and Specifications shall be submitted and consist of all cross-sections, profiles and all other engineering data necessary for the proper design and construction of all improvements and installations required by these regulations including but not limited to the following:

- Streets,
- Surface Storm Drainage plan within the subdivision,
- Sanitary Sewer System,
- Water System,
- Monuments and Markers,
- Sidewalks and Pedestrian Ways,
- Any construction elements peculiar to the subdivision.

### **ATTACHMENTS**

- Any other information or comments related to the final plat
- Application fees (non-refundable)

**Applicant's Signature(s):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**LOT SPLIT / CHANGE OF BOUNDARY APPLICATION**

**City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119**

All forms must be filled out completely and non-refundable fee of \$75.00 paid

Applicant Name (Property Owner) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone & Email: \_\_\_\_\_

Under provisions of the subdivision regulation the undersigned hereby applies for approval of a lot split to:  
(describe lot split request) \_\_\_\_\_

**Legal Description for Property/Properties Affected:**

Owner 1: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Lot Size: Pre split \_\_\_\_\_ Lot Size: Post split \_\_\_\_\_

Owner 2: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Lot Size: Pre split \_\_\_\_\_ Lot Size: Post split \_\_\_\_\_

Name of party taking ownership of new lot (if applicable): \_\_\_\_\_

1. Present Use of Property \_\_\_\_\_ Desired Use of Property \_\_\_\_\_
2. Is a new access route needed or proposed: YES NO
3. Is a vacation of streets, alleys, setback lines, access control, or easement required or proposed? YES NO
4. Will a lot split result in a tract without direct access to a street? YES NO
5. Has the lot been previously split? YES NO If yes, when? \_\_\_\_\_

Original Survey / Plot Plan must be attached \_\_\_\_\_ Zoning District of proposed lot split \_\_\_\_\_

In consideration of the issuance of this application, the applicant hereby certifies that the information in this application is true and correct, and hereby certifies that compliance with the zoning, subdivision and floodplain regulations which are in effect have been met.

**Applicant's Signature(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Co-Applicant's Signature(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

*For Office Use Only:*

Applicant complies with all requirements specified YES NO If no, state reason \_\_\_\_\_

Date CC Meeting \_\_\_\_\_ CC Action APPROVE DISAPPROVE Resolution # \_\_\_\_\_

Date of Notification to Applicant \_\_\_\_\_ Date filed with Register of Deeds, if approved \_\_\_\_\_ Total Fees \_\_\_\_\_



### **Lot Split Must Include:**

Four copies of an original survey and plot plan of the lots with location of structures/roads with the precise nature, location, and dimensions of the proposed lot split is attached to this application. The scale drawing shall include the following information:

1. Name of subdivision/lot split
2. Date, north arrow and scale
3. Location by specific legal description
4. Property lines and rights of way of all existing streets, alley and other rights of way within the subdivision with dimensions given in feet and hundredths; dimensions of bounding streets, together with lot dimensions on side adjoining streets shall be shown
5. Accurate location, size, type and material of all monuments, and an indication whether such monuments were found or set
6. Location, dimensions in feet and hundredths of all easements together with the purpose of each
7. Identification systems for all lots, blocks and building setback lines
8. A notarized certification signed and acknowledged by all parties having any titled interest in or lien upon the land to be subdivided consenting to the lot split
9. A form for the approval of the City Council to be signed by the Mayor and attested to by the City Clerk
10. Certification Statement by Registered Land Surveyor
11. A form for Certificate of County Register of Deeds
12. Name of land planner, landscape architect, surveyor or engineer who prepared the lot split

## Checklist Lot Split/ Change of Lot Boundary

The intent of this section is to provide for the issuance of zoning permits in lots divided into not more than two (2) conforming lots, including the original parcel, provided that the resulting lots shall not again be divided without re-platting. The Governing Body shall approve or disapprove lot splits in accordance with the following regulations.

### LOT-SPLIT CHECKLIST

- Request for lot split approval shall be made by the owner of the land to the City Clerk
- Four (4) copies of a survey of the lots and the location of structures thereon together with the precise nature, location, dimensions, easements, or other improvements of the proposed lot split shall accompany the application
- No Lot split shall be approved if any of the following are met (a plat is needed if any are met):
  - a. A new street or alley is needed or proposed
  - b. A vacation of streets, alleys, setback lines, access control or easements is required or proposed
  - c. If such action will result in significant increases in service requirements, e.g. utilities, schools, traffic control, streets, etc. or will interfere with maintaining existing service levels, e.g. additional curb cuts, repaving, etc.
  - d. There is less street right of way than required by city subdivision code or the Comprehensive Plan unless such dedication can be made by separate instrument
  - e. All easement requirements have not been satisfied
  - f. If such split will result in a tract without direct access to a street
  - g. A substandard sized lot or parcel will be created
  - h. If the lot has been previously split in accordance with city code
- No lot splits shall be approved unless all required public improvements have been installed, no new dedication of public right of way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots. The City Clerk may make recommendations as deemed necessary to carry out the intent and purpose of existing land development regulations and Governing Body policy.
- Application will be placed on the City Council agenda for approval/ disapproval. Lot split will be approved by Resolution.
- The City Council or its designated agent shall, in writing, either approve, with or without conditions, or disapprove the lot split within thirty (30) days of application. The Governing Body or its designated agent shall sign and furnish a certificate of approval to be affixed to the lot split survey. A copy of the survey and resolution shall be filed with the Register of Deeds. A copy shall be given to the applicant.
- If application for a lot split is denied by the Governing Body, the applicant may submit the request to the planning commission for review and recommendation in accordance with the procedures affecting preliminary and final plats.

**APPLICATION FOR ZONING VARIANCE TO BOARD OF ADJUSTMENT**

City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

Permit No. \_\_\_\_\_

1. Property Owner's Name \_\_\_\_\_

2. Property Owner's Address \_\_\_\_\_

3. Phone \_\_\_\_\_ Email \_\_\_\_\_

4. Legal Description of property to which this application pertains:  
\_\_\_\_\_

5. For what section or provision of the zoning or subdivision regulations are you seeking a variance?  
\_\_\_\_\_

6. What are you proposing to do that requires you to seek board action?  
\_\_\_\_\_

7. What is the date you acquired your property? \_\_\_\_\_

8. What is the unique condition under which you are requesting this variance?  
\_\_\_\_\_

9. Was this unique condition created by your own actions? \_\_\_\_\_

10. Do you feel the granting of this variance will adversely affect the rights of adjacent property owners or residents? Explain  
\_\_\_\_\_  
\_\_\_\_\_

11. Does the strict application of the provisions of the zoning and subdivision regulations – from which you are seeking a variance – constitute an unnecessary hardship? Explain  
\_\_\_\_\_  
\_\_\_\_\_

12. Do you feel the granting of this variance will adversely affect the public health, safety, moral order, convenience, prosperity, or general welfare of the city? Explain \_\_\_\_\_  
\_\_\_\_\_

13. Do you feel the granting of this variance will in any way oppose the general spirit and intent of the zoning and subdivision regulations? Explain \_\_\_\_\_  
\_\_\_\_\_

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal business hours for the purpose of becoming familiar with the proposed situation.

Date \_\_\_\_\_ Signed \_\_\_\_\_

## NOTICE TO APPLICANT

Section 3.4 of the Stanton Zoning Ordinance requires the applicant to submit the following information which must accompany this appeal before it can be considered by the Board of Adjustment.

For variances from the zoning ordinance, a written application must demonstrate:

1. The strict application of the zoning regulations would produce undue hardship
2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity
3. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance
4. The granting of such variance is based upon reason of demonstratable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice
5. No variance shall be authorized unless the board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations

**Motion for Granting or Denying a Variance  
Board of Adjustment**

**Permit No.** \_\_\_\_\_

This sheet is a record of the decisions of the City of Stanton Board of Adjustment regarding this case and is to be considered filed in the Office of the Board of Adjustment upon submittal to the City Clerk. Appeals of these decisions may be made by the affected party to District Court within 15 days of the time this action is filed in the Office of the Board of Adjustment.

In order to grant a variance from the zoning regulations, the Board must find that:

1. The strict application of the zoning regulations would produce undue hardship (The Board may consider a request for a variance because of HARDSHIP due to: a) exceptional narrowness of lot, b) exceptional shallowness of lot, c) unusual shape of lot, d) exceptional topographic conditions of lot, e) other extraordinary and exceptional situation or condition)
2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity
3. The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance
4. The granting of such variance is based upon reason of demonstratable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or caprice
5. No variance shall be authorized unless the board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the zoning regulations

**Motion to Deny a Request for a Variance**

A. I move that this variance be denied because of the Board finding that statement(s) \_\_ A \_\_ B \_\_ C and/or \_\_ D, is / are not true and that it would be improper and illegal for this board to grant this variance.

**OR**

B. I move that this variance be denied because the condition or situation is of such general and recurring nature and that a recommendation be sent to the City of Stanton Planning Commission requesting that they consider appropriate changes in the zoning regulations.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Votes in Favor:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Votes Opposed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Votes Abstaining:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion to Approve a Variance**

I move that all of the conditions exist for granting the following variance (state the variance to be granted):

\_\_\_\_\_

This motion to approve this application for a variance is based on the findings that the following demonstrable and exceptional hardship does exist:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Further, statements 1, 2, 3, and 4 on the preceding page have been found to be true, and the Board also finds that (5) this request is not of such a general and recurring nature that changes should be made to the zoning regulations.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Votes in Favor:

Votes Opposed:

Votes Abstaining:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Waiver is hereby denied or approved (circle one) by the Board of Adjustment on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**Board Chairman**

*For Office Use Only:*

*Fee: \$50.00      Date Notice PH BOA \_\_\_\_\_ Date Notifications Board/Applicant \_\_\_\_\_*

*Date BOA Meeting \_\_\_\_\_ BOA Action \_\_\_\_\_ Total Fees \_\_\_\_\_*

Page 4 of 7

**Notice of the Decision  
Of the Board of Adjustment  
City of Stanton, Nebraska**

To: \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
Applicant No. \_\_\_\_\_  
\_\_\_\_\_

You are hereby notified that the Board of Adjustment, on \_\_\_\_\_, 20 \_\_\_\_,

- Granted
- Denied

your appeal for

- special exception to
- variance from

the zoning ordinance.

The conditions of approval are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The reasons for denial are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_  
City Clerk

For an appeal that is granted, the applicant hereby agrees to all conditions specified above. The applicant further agrees that, if the specified conditions are not fulfilled within the specified time frame, approval of this appeal shall become null and void.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**Permit No.** \_\_\_\_\_

**Notice of Hearing  
Before the  
Board of Adjustment  
City of Stanton, Nebraska**

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant No. \_\_\_\_\_

Date \_\_\_\_\_

This is to notify you that your petition for \_\_\_\_\_

pertaining to the property located at \_\_\_\_\_

will come before the Board of Adjustment for consideration on \_\_\_\_\_,

20\_\_\_\_, \_\_\_\_\_ (AM) (PM) in the City Hall meeting room, 800 11<sup>th</sup> Street, Stanton, Nebraska.

By: \_\_\_\_\_

City Clerk



## Procedure for Variance to Zoning Regulations

- \_\_\_ 1. The applicant shall obtain a variance form from the City Clerk. All information must be filled out on the form and the fee paid. The City Clerk shall explain the variance process to the applicant.
- \_\_\_ 2. The City Clerk shall open a file for applicant's request for a variance upon return of the completed forms and a fee of \$50.00 (non-refundable) to process the application.
- \_\_\_ 3. A public hearing will be scheduled for the Board of Adjustment. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the Board of Adjustment meeting.
- \_\_\_ 4. A copy of the notice and agenda for the Board of Adjustment meeting shall be sent to the applicant at which the request will be considered. It is recommended that the applicant attend the Board of Adjustment meeting to answer any questions.
- \_\_\_ 5. The minutes of the Board of Adjustment shall include:
  - a) the date, time and place of the meeting
  - b) the members present, absent or having a declared conflict
  - c) a general description of the matters considered
  - d) an accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion
  - e) the names of persons, as given, making statements or presenting material to the Board and a reference to the legal action about which they made statements or presented material
  - f) any findings made by the Board
  - g) motion and vote of the Board
- \_\_\_ 6. A copy of the Board of Adjustment minutes recommending approval or disapproval shall be given to the Applicant.
- \_\_\_ 7. Appeals must be made to the Clerk of the District Court for any person aggrieved by any decision of the Board of Adjustment. This must be filed within 15 calendar days after the decision has been filed in the Office of the Board of Adjustment.

**APPLICATION FOR APPEAL OF DECISION OR INTERPRETATION TO BOARD OF ADJUSTMENT**  
City of Stanton, PO Box 747, 800 11<sup>th</sup> Street, Stanton, NE 68779 Email: cityofstanton.net Phone 402-439-2119

Applicant Name \_\_\_\_\_ Date \_\_\_\_\_

Applicant Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Legal Description of property to which this application pertains \_\_\_\_\_  
\_\_\_\_\_

I hereby request the Board of Adjustment to consider the following:

\_\_\_\_\_ Interpretation of zoning ordinance or map affecting: Article \_\_\_\_\_ Section \_\_\_\_\_  
Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Appeal of Decision related to the \_\_\_\_\_ (individual or  
agency) decision. Specifically:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach any related information.

I hereby certify the information in this application is true and correct to the best of my knowledge.

Applicant Signature \_\_\_\_\_

**OFFICE USE**

*Fee:*

*Permit # \_\_\_\_\_ This permit is: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Approved Conditionally \_\_\_\_\_*

*Date \_\_\_\_\_ By: \_\_\_\_\_*

## **Procedure for Appeal to Board of Adjustment**

The following steps should be taken to insure proper compliance with the zoning regulations.

1. The applicant shall obtain an Appeal to Board of Adjustment form from the City Clerk by contributing the necessary information on the appeal form and meeting all requirements. The necessary fee shall be forwarded with the application form. Such appeal shall be filed within thirty (30) days of the decision of said officer, department, or board.
2. The City Clerk shall explain to the applicant what the requirements are in the zoning regulations. A file shall be opened for the applicant's appeal form.
3. A public hearing will be scheduled for the Board of Adjustment. The notice of hearing must be advertised in the local newspaper ten (10) days prior to the Board of Adjustment meeting.
4. The Appeal to Board of Adjustment application and all papers constituting the record for which the action being appealed is based upon shall be sent to the Board Members along with the notice of the meeting. Notice of hearing will be sent to all parties in interest.
5. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment, after the notice of appeal shall have been filed with him or her, that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application of notice to the officer from whom the appeal is taken and on due cause shown.
6. The Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of two-thirds of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of any such regulation or to affect any variation in such regulation.

## Public Hearing Procedures for Zoning Change (Amendment)

A public hearing shall be held by the Planning Commission for adoption of Zoning/Subdivision Regulations or Amendments to the Zoning/Subdivision Regulations.

A public hearing held for the purposes of informing citizens of a suggested change in zoning regulations should encompass the following elements:

1. The secretary of the Planning Commission shall cause a notice of public hearing to be published at least ten (10) days prior to the date set for the hearing.
2. The notice of public hearing shall fix the time and place and describe in general terms, the regulations and zoning districts proposed and a brief statement regarding the purpose thereof.
3. The chairman of the Planning Commission shall call the hearing to order at the prescribed time and identify the purpose of said hearing. (It is acceptable to read the Notice of Public Hearing.)
4. The chairman or other members of the Planning Commission shall describe the order of the hearing and present a complete but brief summary of the proposed zoning change. The hearing should then be open to the discussion by attending citizens. A record of proceedings of the hearing should be maintained by the secretary. The hearing may be adjourned from time to time upon discretion of the chairman.
5. Upon conclusion of the hearing the Planning Commission shall prepare and adopt its recommendation in the form of a proposed zoning amendment. This may be done immediately following adjournment of the hearing or at the next meeting of the commission.
6. A copy of the proposed amendment shall be submitted to the Governing Body with a record of the hearing proceedings.

WAIVER of SUBDIVISION REGULATIONS

City of Stanton, PO Box 747, Stanton, NE 68779 Email: [cityofstanton@stanton.net](mailto:cityofstanton@stanton.net) Phone 402-439-2119

Permit No. \_\_\_\_\_ Date \_\_\_\_\_

Applicant Name \_\_\_\_\_

Applicant Mailing Address \_\_\_\_\_

Applicant email \_\_\_\_\_ Phone \_\_\_\_\_

Legal description of property to which this application pertains:  
\_\_\_\_\_

Present Zoning district \_\_\_\_\_

For what section or provision of the subdivision regulations are you seeking a waiver?  
\_\_\_\_\_  
\_\_\_\_\_

What are you proposing to do that requires you to seek board action?  
\_\_\_\_\_  
\_\_\_\_\_

Do you feel the granting of this waiver will adversely affect the rights of adjacent property owners or residents? Explain  
\_\_\_\_\_  
\_\_\_\_\_

Does the strict application of the subdivision regulations constitute an unnecessary hardship? Explain  
\_\_\_\_\_  
\_\_\_\_\_

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal business hours for the purpose of becoming familiar with the proposed situation. I hereby state that the information submitted on this application is accurate and correct.

Date \_\_\_\_\_ Applicant's Signature \_\_\_\_\_

**OFFICE USE**

Fee:  
Permit # \_\_\_\_\_ This permit is: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Approved Conditionally \_\_\_\_\_  
Date \_\_\_\_\_ By: \_\_\_\_\_

Public Right of Way Vacation Application

City of Stanton, PO Box 747, Stanton, NE 68779 Email: [cityofstanton@stanton.net](mailto:cityofstanton@stanton.net) Phone 402-439-2119

Petitioner's Name \_\_\_\_\_

Petitioner's Address \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Description of Street/Alley/Public Way proposed to be vacated:

\_\_\_\_\_  
\_\_\_\_\_

Why are you seeking to have this street/alley/public way vacated?

\_\_\_\_\_

Abutting landowner approval (all abutting property owners and spouses should sign).

We the undersigned, acknowledge that we own the real estate abutting the above property and we consent to the vacating of said property and also waive any right of access through said property. We also understand that when said property is vacated, it shall revert evenly to abutting property owners.

NAME

ADDRESS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

( ) Attach plat map showing area where right of way is located, ownership of property abutting the right of way, and location of utilities within right of way.

Public Utilities Not Provided By City

**Stanton Telecom**

Official Signature \_\_\_\_\_

\_\_\_ Approved

Date \_\_\_\_\_

\_\_\_ Not Approved

Comments \_\_\_\_\_

\_\_\_ Not Applicable

**Black Hills Energy**

Official Signature \_\_\_\_\_

\_\_\_ Approved

Date \_\_\_\_\_

\_\_\_ Not Approved

Comments \_\_\_\_\_

\_\_\_ Not Applicable

**Stanton County Public Power District**

Official Signature \_\_\_\_\_

\_\_\_ Approved

Date \_\_\_\_\_

\_\_\_ Not Approved

Comments \_\_\_\_\_

\_\_\_ Not Applicable

**This side to be completed by City Personnel**

Current utilities located within right of way

**Water Utilities**

Official Signature \_\_\_\_\_  Approved  
Date \_\_\_\_\_  Not Approved  
Comments \_\_\_\_\_  Not Applicable

**Wastewater Utilities**

Official Signature \_\_\_\_\_  Approved  
Date \_\_\_\_\_  Not Approved  
Comments \_\_\_\_\_  Not Applicable

**Street Department**

Official Signature \_\_\_\_\_  Approved  
Date \_\_\_\_\_  Not Approved  
Comments \_\_\_\_\_  Not Applicable

**Zoning Department**

Official Signature \_\_\_\_\_  Approved  
Date \_\_\_\_\_  Not Approved  
Comments \_\_\_\_\_  Not Applicable

Additional Comments

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\_\_\_\_\_ Office Use Only \_\_\_\_\_

Date Public Hearing Notice in Newspaper \_\_\_\_\_

Date Considered by City Council \_\_\_\_\_

Approved  Denied  Ordinance Number \_\_\_\_\_

Date Copy of Ordinance filed with Register of Deeds \_\_\_\_\_

Comments \_\_\_\_\_

APPLICATION FOR VACATION OF PLAT OF RECORD

City of Stanton, PO Box 747, Stanton, NE 68779 Email: [cityofstanton@stanton.net](mailto:cityofstanton@stanton.net) Phone: 402-439-2119

Owner's Name \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Owner's Name \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Property to be vacated (legal description)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notarized signature of owner(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State of Nebraska)  
County of Stanton)

The foregoing instrument as acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

State of Nebraska)  
County of Stanton)

The foregoing instrument as acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By \_\_\_\_\_

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public